



DEPARTMENT OF THE NAVY
NAVAL EDUCATION AND TRAINING PROFESSIONAL
DEVELOPMENT AND TECHNOLOGY CENTER
6490 SAUFLEY FIELD ROAD
PENSACOLA, FLORIDA 32509-5237

IN REPLY REFER TO:

NETPDTCINST 5355.1
N2A22

22 JUL 1998

NETPDTC INSTRUCTION 5355.1

Subj: DRUG-FREE WORKPLACE PROGRAM (DFWP) FOR CIVILIAN EMPLOYEES

Ref: (a) Executive Order 12564
(b) Public Law 100-71
(c) OPNAVINST 5355.4
(d) OCPMINST 12792.3A (CHs 1 & 2)

1. **Purpose.** To prescribe procedures for implementing the regulatory requirements of references (a) and (b) as defined in reference (c). Reference (d) is the primary guide for Navy Civilian Drug Testing.

2. **Cancellation.** NETPMSAINST 5355.1A

3. **Background.** Basic requirements for a DFWP were established by references (a) and (b). The Chief of Naval Operations (CNO) wants implementation of a DFWP throughout the Navy to be standardized to the greatest extent possible by following the guidance of reference (c). This instruction sets forth requirements which apply locally and specifies methods and procedures for application at Pensacola, Florida sites of the Naval Education and Training Professional Development and Technology Center (NETPDTC).

4. **Applicability.** This instruction applies to all NETPDTC appropriated fund civilian employees. Incumbents of and tentatively selected applicants for appropriated fund positions identified as being Tested Designated Positions (TDPs) and individuals who have volunteered to be included in the TDP pool are subject to mandatory drug testing. Foreign national and nonappropriated fund employees are not covered by this instruction unless separate written authorization for coverage is obtained.

5. **Action.** All management officials and supervisors of appropriated fund civilian personnel assigned to NETPDTC, Pensacola, Florida, sites are required to comply with reference (d) and the following procedures in administering the DFWP. (NETPDTC personnel, who have duty stations outside the Pensacola area, are required to comply with the DFWP instruction of their local supplier organization that provides Drug Program Coordinator (DPC) services.)

22 JUL 1998

a. **Voluntary Testing.** Employees not identified in the Testing Designated Position (TDP) pool are not subject to mandatory random testing but may volunteer to be included in the TDP by submitting a written request to the activity DPC. A written acknowledgement, as prescribed in Appendix G of reference (c), will be returned to such voluntary applicants.

b. **Reasonable Suspicion Testing.** First level supervisors or above are authorized to request reasonable suspicion tests. Approval of testing must be received from at least one level above the supervisor requesting the test. The decision to conduct a test will normally be made the same day the event or behavior occurred. The DPC will be contacted immediately to schedule testing. The DPC may also approve a reasonable suspicion test if he/she has reason to believe a donor has tampered with a sample.

c. **Applicant Testing.** Tentative selectees for TDPs will be tested prior to employment. Those who test positive for illegal drugs will be barred from consideration for placement in any position serviced by the DPC for a period of six months from the date of the positive drug test. Records of positive results of Pensacola, Florida area personnel will be maintained by the DPC. Tentative selectees of any appropriated fund TDP must pass their drug screen before a final offer of employment may be extended.

d. **Overtime.** The DPC is authorized to approve up to one hour of overtime to complete collection procedures for employees who experience problems in providing a sample. Up to four hours of overtime may be approved by the DPC to complete collection procedures in the case of reasonable suspicion test. All time in excess of the above must be approved by the employee's Commanding Officer.

e. **Method of Selection for Random Testing.** The DPC will use a computerized random select procedure, when possible, to select individuals for random testing. If, for some reason, the activity cannot use a computerized procedure for random selection, a manual procedure, which assures random selection, will be used. All actions taken using either of these processes will be witnessed and fully documented.

f. **Transportation.** Transportation to the testing site will be provided to individuals selected for testing, if necessary.

22 JUL 1998

g. **Collection Sites.** Individuals will be tested at an on base testing site. The site may vary from quarter to quarter, depending upon such factors as availability of facilities, work locations of individuals being tested, or mission concerns.

h. **Accident/Unsafe Practice Testing.** In accordance with reference (d), Post-Accident Testing is authorized. The following will be used to determine if Accident/Unsafe Practice Testing is appropriate.

(1) **Criteria.** Employees may be subject to testing when, based upon the circumstances of the on-the-job accident or unsafe, on-duty job-related activity, their actions are reasonably suspected of having caused or contributed to an accident or unsafe practice that meets either of the following criteria:

(a) The accident or unsafe practice results in a death or personal injury requiring hospitalization.

(b) The accident or unsafe practice results in damage to government or private property estimated to be in excess of \$10,000.00.

(2) **Authorization.** If a supervisor or manager suspects that an employee has caused or contributed to an on-the-job accident or unsafe, on-duty, job-related activity that meets either of the criteria stated above, he or she will gather all information, facts, and circumstances leading to and supporting this requirement. Approval for testing must be received from at least one level above the supervisor or manager requesting the test. If practicable, the decision to conduct the test will be made the same day the event or behavior occurs, or as soon as management becomes aware of the event or behavior. The Drug Program Coordinator (DPC) will then be notified of the requirement to arrange for a test.

(3) **Documentation.** Once approval has been obtained for testing, the supervisor will prepare written documentation which, at a minimum, will include dates, times, circumstances surrounding the incident, the reasons leading to the test, the second-level concurrence, findings of the test, and any action taken.


M. E. McADAMS